

**REMARKS**

Reconsideration of this application is respectfully requested.

Claims 11 and 12 have been canceled. New claims 15 and 16 are derived from canceled claims 11 and 12. No new matter enters by amendment.

As requested by the Examiner, applicants submit herewith a copy of the original claims, which were involved in Interference No. 102,822.

Claim 11 was rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Chang et al. (U.S. Patent No. 6,001,977) and claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chang et al. in view of White et al. (U.S. Patent No. 4,677,054). The Examiner alleges that Chang discloses lambda clones comprising HTLV-III DNA which would comprise the entire claimed sequence. The Examiner bases the rejections on an interpretation of the word "having" in the claims as being identical in scope with the word "comprising."

New claims 15 and 16 recite "consists of." Accordingly, applicants submit that the Examiner's basis for these rejections does not apply to new claims 15 and 16, and respectfully request withdrawal of the rejection.

Applicants respectfully submit that this application is now in condition for allowance. In the event that the Examiner disagrees, he is invited to call the undersigned to discuss any outstanding issues remaining in this application in order to expedite prosecution.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 18, 2002

By:   
Salvatore J. Arrigo  
Registration No. 46,063  
Telephone: 202-408-4160  
Facsimile: 202-408-4400  
E-mail: [arrigos@finnegan.com](mailto:arrigos@finnegan.com)

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
[www.finnegan.com](http://www.finnegan.com)